

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL APPEAL No 1215 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.

2. To be referred to the Reporter or not? No.

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3. Whether Their Lordships wish to see the fair copy of the judgement? No.

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.

5. Whether it is to be circulated to the Civil Judge? No.

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STATE OF GUJARAT

Versus

MALIYABHAI RUMALBHAI DAMOR

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Appearance:

MR ND GOHIL, A.P.P. for appellant.

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 23/03/98

ORAL JUDGEMENT

This appeal is directed against the judgment and order dated 15-9-1997 passed by the learned Judicial Magistrate, First Class, Dahod, whereby the learned Magistrate has directed muddamal cattle being handed over

to the accused person upon furnishing security in the sum of Rs. 30,000/-.

2. I have gone through the order in question. It may be noted that the appeal against the conviction and sentence upon the accused persons having pleaded guilty, has been rejected by the order passed today in Criminal Appeal No. 1214/97. There is no claim of any other party with regard to muddamal cattle.

3. In the facts and circumstances of the case, no indulgence is required to be shown against the impugned order of returning muddamal cattle to the accused Maliyabhai Rumalbhai Damor. Hence this appeal is not required to be entertained and the same is hereby rejected.

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